

REMARKS

Claims 1-20 were rejected as unpatentable over ARMANTO et al. 6,094,587 in view of YAMASHITA 5,848,362. Reconsideration and withdrawal of the rejection are respectfully requested.

ARMANTO et al. describes a system for programming a ringing tone of a telephone. The ringing tone is based on a short message and includes only a simple sequence of notes that may constitute a melody (column 6, lines 15-19; column 8, lines 1-24; column 12, lines 19-34). The reference does not indicate that the ringing tone includes any other musical part (e.g., see page 6, lines 11-12 of the present application in which musical parts are defined). The ringing tone may be used to flash a light when the phone rings (column 9, line 11). The Official Action acknowledges that ARMANTO et al. does not describe turning off/on a light or vibrator in synchronization with a specific part of the music and relies on YAMASHITA for the suggestion to modify ARMANTO et al. to include this feature.

Before discussing YAMASHITA, it is to be noted that ARMANTO et al. also does not disclose designation data that designates a specific part from among the plural parts of the music. As mentioned above, ARMANTO et al. only discloses playing a melody based on a short message. The music data for playing the melody in ARMANTO et al. does not also designate a specific part from among plural parts of the music. Since the music data

in ARMANTO et al. only relates to the melody, there is no need to designate a specific part from among plural parts (there is only one part).

YAMASHITA discloses an alerting system that includes a loudspeaker, a vibrator and a light emitter. When a call is received, the alerting system operates the vibrator and light emitter. The reference does not disclose designation data that designates a specific part from among the plural parts of the music and does not disclose that the vibrator and light emitter are turned off/on in synchronization with a sound of a specific part of the music.

Since neither reference uses designation data to designate a specific part of music that has plural parts, there is nothing in the proposed combination that would make designation data obvious to one of skill in the art. In view of this, there is nothing in the proposed combination that would make operation of the vibrator/light emitter in synchronization with the specific part obvious to one of skill in the art. Accordingly, the claims avoid the rejection under §103.

New claims 21-22 also avoid this rejection because the proposed combination does not disclose a method and system in which music data that embodies music that has a melody and a second part different from the melody, also includes designation data that designates one of the melody and the second part as a

specific part, in which the specific part of the music is recognized in a tone generator, and in which the light emitter or vibrator is operated in synchronization with the specific part of the music based on an output from the tone generator.

New claims 23-30 have been added and are allowable because the references do not disclose the specific arrangement in which the light/vibrator is ON when the specific part is sounded and OFF when the specific part is silent.

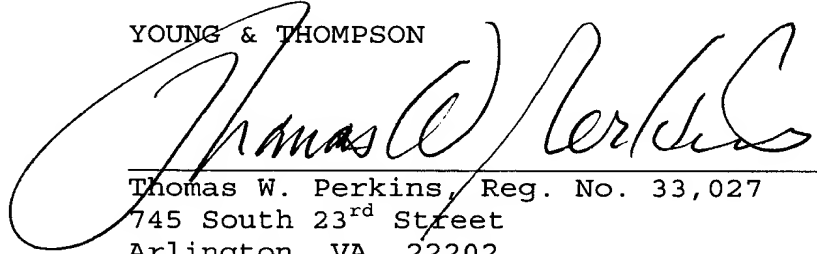
In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

Please charge the fee of \$356 for the two extra independent claims and ten claims of any type added herewith to Deposit Account No. 25-0120.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17.

Respectfully submitted,

YOUNG & THOMPSON

A large, stylized handwritten signature in black ink, which appears to read "Thomas W. Perkins". The signature is written over a horizontal line that separates it from the printed contact information below.

Thomas W. Perkins, Reg. No. 33,027  
745 South 23<sup>rd</sup> Street  
Arlington, VA 22202  
Telephone (703) 521-2297  
Telefax (703) 685-0573  
(703) 979-4709

TWP/lrs